



**ROANOKE CITY COUNCIL
ROANOKE CITY SCHOOL BOARD**

**FEBRUARY 6, 2006
9:00 A.M.**

ROOM 159

AGENDA

1. Call to Order/Roll Call

City Council
School Board

2. Welcome and Opening Remarks

3. Topics for Discussion:

- Presentation of results of the school system's external audit by representatives of MGT of America.
File #467

4. REMARKS BY COUNCIL/SCHOOL BOARD.

THE SCHOOL BOARD MEETING WAS ADJOURNED.

A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

**Approved (7-0)
File #110-132**

A communication from Council Member Alfred T. Dowe, Jr., Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss the mid-year performance of two Council–Appointed Officers, pursuant to Section 2.2–3711 (A)(1), Code of Virginia (1950), as amended.

Approved (7–0)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2–3711(A)(3), Code of Virginia (1950), as amended.

Approved (7–0)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss expansion of an existing business where no previous announcement has been made of the business' interest in expanding its facilities in the community, pursuant to Section 2.2–3711(A)(5), Code of Virginia (1950), as amended.

Approved (7–0)

File #132

General topics for discussion by the Mayor and Members of Council. (5 minutes)

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification, and additions/deletions to the 2:00 p.m. agenda. (15 minutes)

Items for discussion at a meeting of the Roanoke City Council, Roanoke County Board of Supervisors and Western Virginia Water Authority on Monday, March 6, 2006, at 12:00 p.m.

BRIEFINGS:

- Bridge Program Update – 30 minutes
- Market Study (1:00 p.m.) – 60 minutes
 - Tom Lowe, Consultant, Duany Plater-Zyberg and Company (DPZ)

File #42–102

THE COUNCIL MET WITH THE ARCHITECTURAL REVIEW BOARD AT 12:00 P. M., IN ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING.



**ROANOKE CITY COUNCIL
ARCHITECTURAL REVIEW BOARD**

**FEBRUARY 6, 2006
12:00 P.M.**

ROOM 159

AGENDA

- 1. CALL TO ORDER.**
- 2. ROLL CALL:** Architectural Review Board
- 3. WELCOME.**
- 4. INVOCATION AND LUNCH.**
- 5. DISCUSSION ITEM:**
 - a. Annual report of the Architectural Review Board. Lora J. Katz,
Chair.
File #132-249
- 6. REMARKS BY COUNCIL/ARCHITECTURAL REVIEW BOARD.**

**THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE IMMEDIATELY
RECONVENED FOR A BRIEFING ON THE CITY MARKET STUDY.**



Cutler
37287-020606

**ROANOKE CITY COUNCIL
REGULAR SESSION**

**FEBRUARY 6, 2006
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (All Council Members were present.)

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, February 9, 2006, at 7:00 p.m., and Saturday, February 11, 2006, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE SERVICE ICON, CLICK ON COUNCIL AGENDAS TO ACCESS THE APPROPRIATE AGENDA AND COUNCIL MEETING. IF ADOBE ACROBAT IS NOT AVAILABLE, A PROMPT WILL APPEAR TO DOWNLOAD PRIOR TO VIEWING AGENDA INFORMATION.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

Recognition of Middle School Students from Wonju, Korea, Roanoke's Sister City.

File #80-327

3.

CONSENT AGENDA

Approved (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, November 21, 2005, Monday, December 5, 2005, and Monday, December 19, 2005.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from the Architectural Review Board transmitting the 2005 Annual Report.

RECOMMENDED ACTION: Receive and file.

File #109-249

- C-3 A communication from the Roanoke Neighborhood Advocates transmitting the 2005 Annual Report.

RECOMMENDED ACTION: Receive and file.

File #109-488

- C-4 A communication from Tommy Wood tendering his resignation as a member of the Towing Advisory Board.

**RECOMMENDED ACTION: Accept the resignation and receive
File #110-543 and file the communication.**

- C-5 A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 21, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to execution of a lease with Juan E. Garcia, d/b/a Paradiso Cuban Restaurant, for space located in the City Market Building.

RECOMMENDED ACTION: Concur in the request.

File #42-373

- C-6 A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 21, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with execution of an amendment to the lease with the YMCA of Roanoke Valley, Inc., for additional space to provide interim parking located on Luck Avenue.

RECOMMENDED ACTION: Concur in the request.

File #100-373

- C-7 A communication from the City Manager requesting concurrence in the appointment of Michael Guzo as Coordinator of Emergency Management, effective February 1, 2006.

RECOMMENDED ACTION: Concur in the request.

File #184-188

- C-8 Qualification of the following persons:

Cheri W. Hartman as a member of the Human Services Advisory Board, for a term ending November 30, 2009;

Carol J. Jensen as a member of the Roanoke Neighborhood Advocates, to fill the unexpired term of Earnest C. Wilson, ending June 30, 2007; and

Joseph F. Miller as a member of the Board of Zoning Appeals, for a term ending December 31, 2008.

RECOMMENDED ACTION: Receive and file.

File #15-51-72-110-318-488

REGULAR AGENDA

4. PUBLIC HEARINGS:

- a. Proposal to lease City-owned property located at 32 Market Square to Louis and Anita Wilson, d/b/a Burger in the Square, to be used as a food service establishment, for a term of three years, commencing March 1, 2006. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 37287-020606. (7-0)

File #42-166-373

- b. Proposal to lease City-owned property located at 32 Market Square to Adel Eltawansy, d/b/a Zorba's, to be used as a food service establishment, for a term of three years, commencing March 1, 2006. Darlene L. Burcham, City Manager.
Adopted Ordinance No. 37288-020606. (7-0)
File #42-166-373
- c. Proposal to lease City-owned property located at 32 Market Square to David Z. Estrada, d/b/a Chico's Big Lick Pizza, to be used as a food service establishment, for a term of three years, commencing March 1, 2006. Darlene L. Burcham, City Manager.
Adopted Ordinance No. 37289-020606. (7-0)
File #42-166-373
- d. Proposal to lease City-owned property located at 32 Market Square to Georgia Raines Crump, d/b/a Nuts N Sweet Things/LicketySplit, to be used as a food service establishment, for a term of three years, commencing March 1, 2006. Darlene L. Burcham, City Manager.
Adopted Ordinance No. 37290-020606. (7-0)
File #42-166-373
- e. Proposal to lease approximately 7.41 acres of City-owned property located northwest of the former City Nursing Home at Coyner Springs to Ned Jeter for agricultural use, for a term of one-year, with an option for four one-year renewals. Darlene L. Burcham, City Manager.
Adopted Ordinance No. 37291-020606. (7-0)
File #42-166-373

5. PETITIONS AND COMMUNICATIONS:

- a. A request of Total Action Against Poverty to address Council with regard to the Terrace Apartments. Theodore J. Edlich, III, President, Spokesperson. (Sponsored by Mayor C. Nelson Harris and Council Member Sherman P. Lea.)

A request of Total Action Against Poverty that the City's support a low income tax credit application to renovate the Terrace Apartments and to provide financial support from the City's allocation of HUD funds, in the amount of \$500,000.00 over a period of four years, was referred to the City Manager for report.

File #178-226

(Council Member Wishneff left the meeting.)

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

The City Manager introduced Stuart Mease, Special Projects Coordinator, Economic Development. She advised that his primary responsibility will be to attract and retain young people to the Roanoke area and to serve as liaison between City of Roanoke businesses and area institutions of higher education.

File #184-450

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of a Virginia Department of Fire Programs Mini-Grant, in the amount of \$7,500.00; and appropriation of funds.
Adopted Budget Ordinance No. 37292-020606 and Resolution No. 37293-020606. (6-0)
File #60-70-236

2. Acceptance of a Rescue Squad Assistance Fund Grant from the Virginia Department of Health, Office of Emergency Medical Services; and appropriation of funds.
Adopted Budget Ordinance No. 37294-020606 and Resolution No. 37295-020606. (6-0)
File #60-70-188-236
3. Amendment of the 2005-2010 Consolidated Plan Annual Update to include the World Changers Project, and to revise the Belmont Community Healthcare Center Project; and execution of a CDBG Subgrant Agreement with Blue Ridge Housing Development Corporation, Inc.
Adopted Budget Ordinance No. 37296-020606 and Resolution No. 37297-020606. (6-0)
File #60-178-236
4. Amendment of Ordinance No. 37047-051005 adopted on May 10, 2005, to include an annual salary increment for personal vehicle use for the positions of Director of Planning Building and Economic Development and Special Projects Coordinator.
Adopted Ordinance No. 37298-020606. (6-0)
File #184-200-450
5. Appropriation of \$144,808.00 in additional E-911 funding for fiscal year 2005-2006 to upgrade system hardware and software.
Adopted Budget Ordinance No. 37299-020606. (6-0)
File #60-188
6. Authorization to participate in the Verizon Hopeline Program, a nation-wide program to support domestic violence victims.
Adopted Resolution No. 37300-020606. (6-0)
File #5

7. Transfer of funds in connection with the case of *Walter S. Claytor, et. al. v. Roanoke Redevelopment and Housing Authority*, and to address an increase in cost for motor fuel for fiscal year 2005.

**Adopted Budget Ordinance No. 37301-020606. (6-0)
File #60-178-361**

b. CITY ATTORNEY:

1. Adoption of a resolution expressing the City's intent to participate in a regional effort to develop a regional water supply plan in accordance with Virginia's local and regional water supply planning regulations.

**Adopted Resolution No. 37302-020606. (6-0)
File #378-468**

c. DIRECTOR OF FINANCE:

1. Financial report for the month of December, 2005.

**Received and filed.
File #10**

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

**9. INTRODUCTION AND CONSIDERATION OF ORDINANCES
AND RESOLUTIONS: NONE.**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Council Member Cutler commended the efforts of VDOT to beautify I-581 through various types of plantings.
File #77**

**Council Member Dowe congratulated the Roanoke Chapter of the Southern Christian Leadership Conference and the Roanoke Chapter of the NAACP on the success of their annual banquets. He advised that he attended an activity at William Fleming High School in which the No. 1 football jersey worn by John St. Clair, who currently plays professional football for the Chicago Bears, was retired.
File #388-467**

**Vice-Mayor Fitzpatrick commended Robert K. Bengtson, Director, Public Works, and Kenneth H. King, Manager, Division of Transportation, and their staff for collecting the last cycle of leaves in the City of Roanoke.
File #183**

**Vice-Mayor Fitzpatrick requested that allocation of space for the "To The Rescue Exhibit", which was previously located at Tanglewood Mall, be referred to the City Manager for report. He asked that specific consideration be given to housing the exhibit at the No. 1 Fire House.
File #70**

**Council Member Lea advised of the appointment of the City's Domestic Violence Task Force. He noted that the first meeting will be held on February 17, 2006, at 10:30 a.m., in the Police Department Community Room, 348 Campbell Avenue, S. W., and expressed appreciation to Assistant City Manager for Community Development, Rolanda Russell, for her assistance in establishing the task force.
File #5**

**Council Member McDaniel called attention to a series of workshops that will be held at the Roanoke Public Library with regard to navigating the Internet.
File #323**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

**Richard B. Sarver was appointed as a member of the Board of Fire Appeals to fill the unexpired term of Bobby Lavender, ending June 30, 2008.
File #15-70-110**

**Sherman V. Burroughs, IV, was reappointed as a member of the Fair Housing Board for a term ending March 31, 2009.
File #15-110-178**

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

**Mr. Robert Craig, 701 12th Street, S. W., addressed various City concerns.
File #66**

**Mr. John E. Kepley, 2909 Morrison Avenue, S. E., spoke with regard to the renovation of Victory Stadium and issues relating to Carilion Health System.
File #66-122**

**Ms. Zoe Stennett, 3531 Peters Creek Road, N. W., spoke in support of Roanoke's public safety employees.
File #5-70**

**Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke with regard to the renovation of Victory Stadium.
File #122**

**Mr. Chris Craft, 1501 East Gate Avenue, N. E., spoke with regard to School Board appointments, lack of parking at the Roanoke Civic Center, and Victory Stadium.
File #66-122-192-467**

**Mr. Robert E. Gravely, 729 27th Street, N. W., spoke with regard to the need to attract more young people to the Roanoke Valley, needed improvements to downtown Roanoke, the City's aging infrastructure, and renovation of Victory Stadium.
File #66-122**

12. CITY MANAGER COMMENTS:

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL 7:00 P.M., IN THE CITY COUNCIL CHAMBER FOR A JOINT MEETING OF COUNCIL AND THE CITY PLANNING COMMISSION.



**ROANOKE CITY COUNCIL
ROANOKE CITY PLANNING COMMISSION**

**FEBRUARY 6, 2006
7:00 P.M.**

**CITY COUNCIL CHAMBER
AGENDA**

Call to Order -- Roll Call.

City Council
City Planning Commission

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Tonight's meeting will be replayed on Channel 3 on Thursday, February 9, 2006, at 7:00 p.m., and Saturday, February 11, 2006, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Joint public hearing of the City Council and the City Planning Commission to consider the Second Amended Petition to Amend Proffered Condition, filed by the City of Roanoke on December 23, 2005, for property located at 2102 Grandin Road, S. W., Official Tax No. 1460101, said amendment of proffers dealing with the construction and operation of a school sports stadium, practice fields, and tennis courts at Patrick Henry High School. R. Brian Townsend, Agent, City Planning Commission.

**Adopted Ordinance No. 37303-020606. (5-2, Council Members Lea and Wishneff voting no.)
File #51**

THE CITY PLANNING COMMISSION MEETING WAS ADJOURNED.

CERTIFICATION OF CLOSED SESSION. (6-0, Council Member Wishneff abstained from voting.)

THE CITY COUNCIL MEETING WAS DECLARED IN RECESS UNTIL TUESDAY, FEBRUARY 14, 2006, AT 12:00 P. M., AT THE ROANOKE COUNTY ADMINISTRATION BUILDING, 5204 BERNARD DRIVE, S. W., 4TH FLOOR TRAINING ROOM, FOR A MEETING OF THE ROANOKE CITY COUNCIL, THE ROANOKE COUNTY BOARD OF SUPERVISORS AND THE ROANOKE VALLEY RESOURCE AUTHORITY.